

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 592

S.P. 260

In Senate, February 14, 2023

### **An Act to Amend the Law Governing MaineCare Coverage of Chiropractic Treatment**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT  
Secretary of the Senate

Presented by President JACKSON of Aroostook.  
Cosponsored by Representative PERRY of Calais and  
Senators: BALDACCI of Penobscot, MOORE of Washington, Representative: MADIGAN of  
Waterville.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3174-CCC, sub-§1**, as enacted by PL 2019, c. 421, §1 and  
3 reallocated by RR 2019, c. 1, Pt. A, §24, is amended to read:

4 **1. Reimbursement.** The department shall reimburse under the MaineCare program  
5 for all chiropractic evaluation and management examinations services performed by a  
6 chiropractic doctor licensed under Title 32, chapter 9 that are within the scope of practice  
7 of chiropractic doctors. This subsection does not ~~limit reimbursements under the~~  
8 ~~MaineCare program that may be available for other chiropractic services or~~ affect any  
9 limits that may apply to reimbursements such as limits relating to numbers of visits.

10 **Sec. 2. State plan amendment.** No later than January 1, 2024, the Department of  
11 Health and Human Services shall apply to the United States Department of Health and  
12 Human Services, Centers for Medicare and Medicaid Services for a state plan amendment  
13 to allow for Medicaid reimbursement for all chiropractic services performed by  
14 chiropractic doctors licensed under the Maine Revised Statutes, Title 32, chapter 9 within  
15 their scope of practice.

16 **Sec. 3. Contingent effective date.** That section of this Act that amends the Maine  
17 Revised Statutes, Title 22, section 3174-CCC, subsection 1 does not take effect unless:

18 1. The United States Department of Health and Human Services, Centers for Medicare  
19 and Medicaid Services approves a state plan amendment to allow for Medicaid  
20 reimbursement for all chiropractic services performed by chiropractic doctors licensed  
21 under Title 32, chapter 9 within their scope of practice; and

22 2. The Commissioner of Health and Human Services notifies the Secretary of State,  
23 the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of  
24 Statutes that written approval for the state plan amendment has been received.

25 **SUMMARY**

26 This bill requires all chiropractic services that are within the scope of practice of  
27 chiropractic doctors and performed by a licensed chiropractic doctor to be reimbursed  
28 under the MaineCare program. Under current law, the Department of Health and Human  
29 Services is required to reimburse for only chiropractic evaluation and management  
30 examinations.

31 The bill also requires the Department of Health and Human Services to apply for a state  
32 plan amendment to allow for Medicaid reimbursement for all chiropractic services within  
33 the scope of practice of chiropractic doctors no later than January 1, 2024. If the state plan  
34 amendment is not approved by the United States Department of Health and Human  
35 Services, Centers for Medicare and Medicaid Services, chiropractic doctors will not be  
36 reimbursed by the MaineCare program for any additional chiropractic services not  
37 currently eligible for reimbursement.